



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/277,213	03/26/1999	YASUSI KOBAYASHI	FUJO-12.880A	3219
26304	7590	09/27/2005	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			HOM, SHICK C	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	

2666

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

K

<b>Office Action Summary</b>	<b>Application No.</b> 09/277,213	<b>Applicant(s)</b> KOBAYASHI ET AL.	
	<b>Examiner</b> Shick C. Hom	<b>Art Unit</b> 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 43, 44, 50, 53, 54 and 95 is/are pending in the application.
- 4a) Of the above claim(s) 50, 53, 54 and 95 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 43 and 44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2666

### **DETAILED ACTION**

#### ***Response to Arguments***

1. Applicant's arguments with respect to claims 43-44 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Election/Restrictions***

2. Applicant's election without traverse of claims 43-44 in the reply filed on 8/29/05 is acknowledged.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 43-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Zoccolillo (5,287,199).

Art Unit: 2666

Regarding claim 43:

Zoccolillo discloses a switch station, which exchanges a packet with a predetermined format, comprising: a switch exchanging the packet; a control processor controlling operations of this switch station (see Fig. 1, the processor 105 connected to the switch 103 and col. 3 lines 3-33 which recite the switch being the AT&T 5ESS switch clearly anticipate a packet switch); an intra-station device, provided within this switch station, performing a communication operation according to the control information from said control processor; and an interface unit converting a data format of the control information into a data format which said switch can exchange (see col. 11 lines 3-22 which recite means for format conversion clearly reads on the interface unit converting the data format); wherein the control information is communicated through said switch, the control information is communicated according to link access protocol, and said interface unit converts the data format of the control information into the data format processed by the switch station, adds to the control information such routing information as can be identified by the switch station and routed by said interface unit at a receiving equipment, and transmits the information to the switch station (see the abstract which recite a processor connected to the switching

Art Unit: 2666

system receiving and analyzing the control portion of the message such as the called number and other routing information including means for converting the message to a predetermined format, adding prearranged routing information stored in the processor to the message, and delivers the message to the destination clearly anticipate the switch, the control processor, the intra-station device performing communication operation according to the control information, and the interface unit for converting a data format as in claim 43).

Regarding claim 44:

Zoccolillo disclose wherein said intra-station device comprises identifying means for identifying whether received data is subscriber data or the control information; and said intra-station device transmits the data after adding routing information, when said identifying means has received the subscribed data, to received subscriber data to be routed to a destination, and after adding the routing information, when said identifying means has received the control information, to received control information to be routed to said interface unit at said receiving equipment (see col. 4 line 49 to col. 5 line 7 and col. 14 lines 10-18 which recite means for comparing and identifying the destination address data for routing the

Art Unit: 2666

destination information clearly reads on the identifying means as in claim 44).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kurano et al. disclose a routing system capable of effectively processing routing information.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2666

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH



DANG TON  
PRIMARY EXAMINER